

Applicant: Bernalillo County Fire Department

Agent: N/A

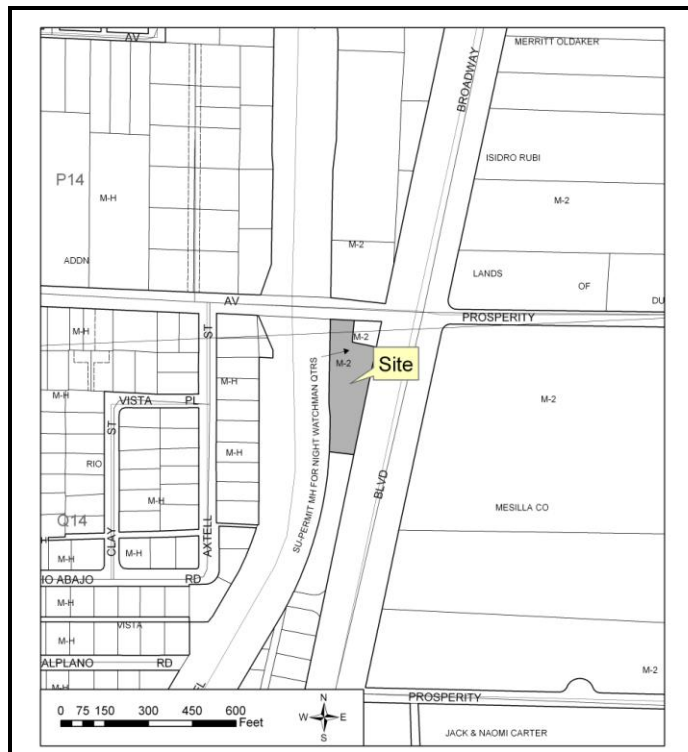
Location: 800 Prosperity Ave SE

Property Size: 1.31 acres

Existing Zone: M-2

Request: Special Use Permit for a Public Building

Recommendation: Approval



Summary: The Bernalillo County Fire Department is requesting approval of a Special Use Permit for a site that currently contains a fire station. The Special Use Permit will allow the construction of a smoke tower facility to aid in the training and preparation of firefighters for emergency conditions in the field.

Staff Planner: Enrico Gradi, Program Planner

Attachments:

1. Application
2. Land Use and Zoning Maps
3. Site Plan (Commissioners Only)

Bernalillo County Departments and other agencies reviewed this application from 5/25/2010 to 6/14/2010. Their comments were used in preparation of this report, and begin on Page 13.

CSU-20100014 Bernalillo County Fire Department requests approval of a Special Use Permit for a Public Building (Fire Station and Training Academy) on Lot 2A, Block A, Rio Vista Addition, located at 800 Prosperity Ave. SE, zoned M-2, and containing approximately 1.31 acres. (Q-14)

AREA CHARACTERISTICS AND ZONING HISTORY
Surrounding Zoning & Land Uses

Site	Zoning	Land Use
	M-2	Fire Station
North	M-2	Vehicle Storage
South	M-2	Vacant
East	M-2	State ROW/Broadway Blvd/Industrial Land Use
West	M-H	Mobile Homes/AMAFCA Facility

BACKGROUND:

The Request

The Bernalillo County Fire Department requests approval of a Special Use Permit for the construction of a smoke tower facility to aid in the training and preparation of firefighters for emergency conditions in the field. The site is already occupied by a fire station.

Request Justification

The applicant maintains that the request is consistent with the Comprehensive Plan Goal to develop and manage use of public services and facilities in an efficient and equitable manner and in accordance with other land use planning policies.

APPLICABLE PLANS AND POLICIES:

Albuquerque/Bernalillo County Comprehensive Plan

The site is located in the Developing Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan. The Goal for this land use area is to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities with the metropolitan area and which offers a variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment.

Policy a states that the Established and Developing Urban Areas shall allow a full range of urban land uses, resulting in an overall gross density of up to five dwelling units per acre.

Policy d states that the location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources and resources of other social, cultural, or recreational concern.

Policy e states that new growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

Policy i states that employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

Policy j states that where new commercial development occurs, it should generally be located in existing commercially zoned areas.

Policy l states that quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate in the Plan area.

Water Quality

The Goal is to maintain a dependable, quality supply of water for the urbanized area's needs.

Policy d states that water quality management plan shall be coordinated to assure Bernalillo County's citizens receive adequate water quantity and quality that meets essential needs.

Human Services

The Goal is to site human services facilities in locations that provide the greatest possible access to services, and to consider human rights and human service needs in development and redevelopment throughout the plan area.

Southwest Area Plan (SWAP)

The site is located in Residential Area One of the Southwest Area Plan. Residential Area One calls for minimal residential development.

Policy 3 states "All public utility facilities proposed to be located in the plan area shall be approved by the Extraterritorial Land Use Authority or the Board of County Commissioners."

Policy 9 states, "protect the fragile landforms and air quality in the plan area, new development or major modifications roads and other public facilities shall adapt to existing natural environment, topography, soils, vegetation, geology, and hydrology.

Prohibit excessive cuts and fills that scar the natural landscape and create unstable soil and erosion conditions.

Policy 10 calls for protection of fragile landforms and air quality in the plan area, new development or major modifications to existing roads and other major public facilities shall adapt to the existing natural environment, topography, soils, vegetation, geology, and hydrology.

- a) Design existing roads and future road extensions consistent with drainage patterns of arroyos, waterways, and acequias to handle drainage, minimize erosion, and to avoid unnecessary crossings and re-alignments.

Policy 11 states that all roads and arterials shall maintain continuity with regards to drainage, design and landscape. These arterials shall be comprehensive in design and scope to include the community's goals and objectives, including pedestrian and bicycle amenities, mass transit potential and landscaping.

Policy 18 calls for storm drainage facilities shall be designed to carry out their drainage management functions and to optimize recharge of the aquifer.

Policy 19 states “all development and subdivisions shall be required to limit the level of water runoff generated from new construction or paving in order to reduce velocity and volume of runoff, and to ensure the viability and capacity of down stream facilities.”

Policy 30 states, “standards for outdoor lighting shall be implemented to ensure that their use does not interfere with the night sky environment and unnecessarily adjacent properties.”

- a. Outdoor light poles within residential areas should not exceed sixteen (16) feet in height above existing grade; when mounted on buildings or structures, fixtures should not exceed twelve (12) feet from existing grade.
- b. Encourage landscaped areas within lots to break up large expanses of paved area and enhance pedestrian access.

Policy 42 states "industrial development shall be in accordance with existing environmental and geological conditions.

- c. Restrict new industrial development in areas of fragile soil conditions or in geographically unfit areas, unless indisputable evidence is presented that the area will not be adversely affected.
- d. Locate industrial development in areas with appropriate road design, drainage and infrastructure conducive to industrial activity.
- e. Limit the scale of industry to an appropriate compatible and sustainable level considering environmental factors such as soil conditions, water availability, air quality, noise and suitable geologic formations.

Bernalillo County Zoning Ordinance

Resolution 116-86 defines criteria for evaluating a Zone Map changes and Special Use Permit applications.

The following policies for deciding zone map changes and Special Use Permit applications pursuant to the adopted BCC Zoning Ordinance.

- A. A proposed land use change must be found to be consistent with the health, safety and general welfare of the residents of the County.
- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.

- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other Master Plans and amendments thereto including privately developed area plans, which have been adopted by the BCC
- D. Stability of the land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.
- E. The applicant must demonstrate that the existing zoning is inappropriate because:
 - 1. An error in the original zone map.
 - 2. Changed neighborhood conditions, which justifies a change in land use or
 - 3. That a different use category is more advantageous to the community as articulated in the Comprehensive Plan or other land use plans as adopted by the BCC
- F. A land use change shall not be approved where some of the permissive uses in the land use change would be harmful to adjacent property, the neighborhood or the community.
- G. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.
- H. A zone change request which would give a zone different from the surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
 - 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.
- I. A zone change request, which would give a zone different from the surrounding zoning to a strip of land along a street, is generally called a "strip zoning." Such a change of zone may be approved only when:

1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.
- J. A zone change request which would give a zone different from the surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
3. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 4. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Section 18 Special Use Permit Regulations

- A. By Special Use Permit after receipt of a recommendation from the County Planning Commission, the Board of County Commissioners may authorize the location of uses in any one in which they are not permitted by other sections of this ordinance; the Board of County Commissioners may likewise authorize the increase in height of buildings beyond the limits set fourth by sections of the zoning ordinance. With such permits, the Board of County Commissioners may impose limitations as it deems necessary:
1. To ensure that the degree of compatibility of property uses which this section is intended to promote and preserve shall be maintained with respect to the special use on the particular site and consideration of existing and potential uses of property within the zone and the general area in which the use is proposed to be located.
 2. To ensure the proper performance standards and conditions are, whenever necessary, imposed upon uses which are, or which reasonably may be expected to become, obnoxious, dangerous, offensive or injurious to the health, safety, or welfare of the public, or a portion thereof, by reason of the emission of noise, smoke, dust, fumes, vibration, odor, or other harmful or annoying substances;

3. To preserve the utility, integrity and character of the zone in which the use will be located, without adversely affecting adjacent zones; and
4. To ensure that the use will not be or become detrimental to the public interest, health, safety, convenience, or the general welfare.
5. The County Planning Commission must review the Special Use Permit and progress of development from the date of approval and each year thereafter until completion of the plan, and if needed make a recommendation to the Board of County Commissioners to continue or revoke the Special Use Permit.

Such Special Use Permits may authorize the following uses:

1. Public building, public utility facility, power plant, transformer yard, sewage treatment plant, sanitary solid waste incinerator, construction debris landfill, sanitary landfill and similar technical operations essential to public health and welfare.

Section 19 Landscaping and Buffer Landscaping Regulations

Where a nonresidential zone which is hereafter developed for a business purpose abuts a conforming residential use, special buffer landscaping is required to minimize noise, lighting and sight impact of the nonresidential activities in the residential area.

- A. Landscaping and buffer landscaping will be required in all zones for office, commercial, industrial, and multifamily residential uses; R-1, A-1, A-2 and M-H residential uses are exempt.
 1. Sites of one acre or less:
 - a. There shall be a landscaped setback along all streets of no less than ten feet.
 - b. There shall be a landscaped buffer of six feet between single-family residential uses and office, commercial, industrial, and multifamily residential uses.
 - c. Fifteen percent of all paved areas shall be landscaped. The landscaped setback may contribute toward this requirement.
 2. Sites one acre and up to five acres. There shall be a landscaped setback along all streets of not less than 15 feet. All other requirements are the same as 1.b and 1.c above.

3. Sites of five acres or more:

- a. There shall be a landscaped setback along all streets of no less than 20 feet.
- a. The landscaped setback shall not be counted toward the landscaping required as a result of paving.
- b. All other requirements [shall be the] same as 1.b. and 1.c. above.

ANALYSIS:

Surrounding Land Use and Zoning

The site located in a largely industrial area. The property to the north, south and east are zoned M-2. Industrial land uses are occurring north and east of the subject site. Approximately 250 west of the site is a portion of land that is zoned M-H and contains several mobile homes.

Plans

This site is located in the Developing Urban Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan. The principal Goal for the Developing Urban Area of the Comprehensive Plan addresses the creation of a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and lifestyles, while creating a visually pleasing built environment.

Southwest Area Plan (SWAP)

The site is also located in Residential Area 1 of the Southwest Area Plan, which recommends minimum residential development due to the industrial nature of the area.

Policy 11 states that all roads and arterials shall maintain continuity with regards to drainage, design and landscape. These arterials shall be comprehensive in design and scope to include the community's goals and objectives, including pedestrian and bicycle amenities, mass transit potential and landscaping.

Zoning Ordinance

The Bernalillo County Zoning Ordinance, Section 18 (B) (1-5) defines the rationale for the imposition of conditions on particular land use cases with regard to a Special Use Permit. The Board of County Commissioners may authorize the increase in height of buildings beyond the limits set forth by sections of the zoning ordinance.

Additionally, the Board of County may impose limitations as it deems necessary to ensure the proper performance standards and conditions are imposed upon uses which may be expected to become, obnoxious, dangerous, offensive or injurious to the health, safety, or welfare of the public. Also to insure that the use will not become detrimental to the public interest, health, safety, convenience, or the general welfare.

Resolution 116-86

Resolution 116-86 requires that a land use change must clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan. This request is consistent with the Goal of the Community Services provision of the Comprehensive Plan which is to develop and manage use of public services and facilities in an efficient and equitable manner and in accordance with other land use planning policies.

Agency Comments

The Bernalillo County Public Works Division does not have any adverse comment regarding this case with regards to traffic engineering or the County Storm Drainage Ordinance.

Zoning	
Resolution 116-86	Resolution 116-86 requires that a land use change must clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan. The Goal of the service provision is to develop and manage use of public services and facilities in an efficient and equitable manner and in accordance with other land use planning policies.
Plans	
Comprehensive Plan	The training facility fulfills the Comprehensive Plan Goal to develop and manage use of public services and facilities in an efficient and equitable manner and in accordance with other land use planning policies in that this case, the SWAP.
Area Plan	The training facility conforms to the Southwest Area Plan in that SWAP policies recommend Public and private sectors to work together to aid in programs that promote improved community services.
Other Requirements	None

Conclusion

Resolution 116-86 requires that a land use change shall clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan. In this case, it appears that the location of the requested use is consistent with the Albuquerque/Bernalillo County Comprehensive Plan and Southwest Area Plan (SWAP). The training facility fulfills the Comprehensive Plan Goal to develop and manage use of public services and facilities in an efficient and equitable manner. The training center allows the Fire Department to conduct necessary training in order to prepare their crews to better serve residents and property owners.

Resolution 116-86 requires that a land use change must clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan. The Goal of the service provision is to develop and manage use of public services and facilities in an efficient and equitable manner and in accordance with other land use planning policies.

RECOMMENDATION:

APPROVAL of CSU-20100014 based on the following Findings and Conditions.

Enrico Gradi
Program Planner

FINDINGS:

1. This is a request for a Special Use Permit for a Public Building (Fire Station and Training Academy) on Lot 2A, Block A, Rio Vista Addition, located at 800 Prosperity Ave. on Lot 2A, Block A, Rio Vista Addition, located at 800 Prosperity Ave. SE, zoned M-2, and containing approximately 1.31 acres.
2. The property is within the Residential Area 1 as designated by the Southwest Area Plan.
3. The property is within the Established-Urban area as designated by the Albuquerque/Bernalillo County Comprehensive Plan.
4. This request is consistent with the health, safety and general welfare of the residents of the County.

CONDITIONS:

1. Any site lighting shall be site specific. Shielded or cutoff fixtures shall be provided so that no fugitive light crosses to adjacent lots. Outdoor light poles shall not exceed sixteen (16) feet in height above existing grade; when mounted on buildings or structures, fixtures should not exceed twelve (12) feet from existing grade.
2. The Special Use Permit will be issued for the life of the use.
3. A revised site development plan consistent with the Conditions of approval shall be submitted for review to the Zoning Administrator within two months after the final Board of County Commissioners approval.
4. The foregoing Conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

BERNALILLO COUNTY DEPARTMENT COMMENTS

Environmental Health:

No adverse comment.

Training tower must meet 5' setback distance to septic tank and 8' setback distance to drainfield area as established by Bernalillo County Wastewater Ordinance 2006-1.

Fire:

Approved numbers or addresses shall be placed on all new and existing building in such a position as to be plainly visible and legible from the street or road fronting the property and shall contrast with their background. Numerics shall be a minimum of 4 inches in height.

Required access: Fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction.

The required width of a apparatus access road shall not be obstructed in any manner, including parking of vehicles during construction and/or occupancy.

any future development must meet the requirements of the Bernalillo County Fire Marshal's Office.

Building Manager

Will require building and trade permits when ZCSU is approved.

Zoning Manager:

No adverse comments.

Zoning Administrator:

No adverse comments.

Public Works:

DRAN:

A conceptual Grading & Drainage Plan has been submitted and is under review by Bernalillo County Public Works and AMAFCA.

DRE:

Traffic Scoping Report is required. Please contact Richard Meadows at 848-1508.

Parks & Recreation:
No adverse comments.

Sheriff's:
No comments.

COMMENTS FROM OTHER AGENCIES

MRGCOG:
No adverse comment

AMAFCA:
AMAFCA has reviewed and commented on the Grading & Drainage Plan with respect to site drainage to the South Diversion Channel.
LM/ma 6/14/10

City Environmental Health:
No comment

City Public Works:
No adverse comment

Transportation:
No adverse comment

Transit Department.
No comment

Utilities:
No comment

PNM:
PNM has safety concerns for fire personnel regarding the location of the fire training tower and the adjacent electric lines on the east and west side of the property. PNM has requested a meeting with the Fire Marshall to discuss fire personnel safety.

As a condition, it is the applicant's obligation to determine if existing utility easements cross the property and to abide by any conditions or terms of those easements.
EC/ma 5/12/10

PNM met with Fire Marshall. High voltage and low voltage areas are adjacent to property.

New Mexico State Highway and Transportation Department:
No adverse comment

NEIGHBORHOOD ASSOCIATIONS:
The Coalition of South Valley Neighborhoods
Mountain View Neighborhood Association
South Valley Alliance